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C O N F I D E N T I A L SECTION 01 OF 02 ASTANA 000870

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SUBJECT: KAZAKHSTAN: ALGA LEADER DISCUSSES ABLYAZOV, TWO
NEW ADMINISTRATIVE CASES AGAINST HIS UNREGISTERED PARTY

REF: A. ASTANA 0662

[1](#)B. ASTANA 0535

[1](#)C. LONDON 0712

[1](#)D. ASTANA 0386

[1](#)E. ASTANA 0286

[1](#)F. ASTANA 0250

[1](#)G. ASTANA 0204

Classified By: CDA Kevin Milas, Reasons 1.4 (b)/(d)

[1](#)1. (C) SUMMARY: On May 18, the leader of the unregistered opposition party Alga, Vladimir Kozlov, told us that he recently met in London with ousted BTA bank chairman Mukhtar Ablyazov, who is Alga's principal financial backer. According to Kozlov, Ablyazov will soon declare himself "in open opposition" to President Nazarbayev's government and has reached out to other "exiled" Kazakhstani political figures with a proposal to form a cohesive "opposition in exile" group. Kozlov also told us that the Procurator General's Office filed two administrative cases against Alga -- one for carrying out political activities without proper registration, and another for having a name that closely resembles that of a disbanded political party. A court subsequently ruled against Alga in the first case. The second case was adjourned following Alga's application for a new name with the Ministry of Justice. Kozlov believes that both cases are politically motivated and are in part aimed at Ablyazov. END SUMMARY.

UNITED OPPOSITION-IN-EXILE?

[1](#)2. (C) On May 18, we met in Astana with Vladimir Kozlov, the leader of the unregistered opposition political party Alga. Kozlov explained that he recently returned from London, where he met with Mukhtar Ablyazov, the ousted chairman of BTA bank and the primary financier of Alga. As reported in reftels, Ablyazov left Kazakhstan for the United Kingdom shortly after the government took over BTA in early February and is currently under investigation by the Kazakhstani authorities for embezzlement. Kozlov told us that Ablyazov plans to declare himself "openly in opposition" to President Nazarbayev's "regime" in the near future and has apparently reached out to other "exiled" Kazakhstani

political figures, including former Prime Minister Akezhan Kazhegeldin and former Democratic Choice of Kazakhstan (DVK) movement leader Galymzhan Zhakiyanov, with the proposal to form a cohesive "opposition in exile" group. (NOTE: Kazhegeldin resides in Britain, and Zhakiyanov has reportedly been undergoing long-term medical treatment in China. END NOTE.) Kozlov reiterated his belief that the government's takeover of BTA bank was purely a political move aimed at neutralizing Ablyazov as a potential political opponent to President Nazarbayev. (COMMENT: In fact, several credible interlocutors from the international community, including EBRD First Vice President Varel Freeman, have told us that BTA was non-transparent and seriously mismanaged, and that there is evidence of serious criminal wrongdoing at BTA by Ablyazov and his associates. END COMMENT.) Kozlov also shared that Ablyazov is continuing to finance Alga, despite the fact that many of his Kazakhstani assets have been frozen, and that Ablyazov has begun to take a much more active role in the decisions on party policy.

TWO CASES AGAINST ALGA

¶3. (C) Kozlov told us that the Procurator General's Office (PGO) recently filed two separate administrative cases against Alga. In the first case, the Almaty PGO filed a case against the party and Kozlov, as its leader, for carrying out political activities without proper registration. The PGO argued that Alga, which has been awaiting formal registration as a political party from the Ministry of Justice (MOJ) since December 2006 and is currently functioning as an organizing committee, has published several statements in the media on

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the country's political and economic situation under the name "People's Party Alga." This, in the PGO's view, constitutes unregistered political activity and is a breach of Kazakhstan's Administrative Code. Kozlov maintained to the court that Alga's actions were in line with those of any new party awaiting registration and argued that the PGO should file a case against the MOJ for leaving Alga's registration in limbo "for 918 days." He maintained that the recent amendments to the political party law could actually complicate Alga's situation, explaining that they mandate that an organizing committee disband if its request to be registered as a political party is not granted by the MOJ within six months. Kozlov believes, however, that the new amendments should not apply to Alga's situation since the legislation is not retroactive. On May 19, the day after our meeting with Kozlov, the Almaty Administrative Court found him guilty of carrying out political activities without Alga being registered as a political party, and fined him 127,300 tenge (approximately \$850). Kozlov intends to appeal the ruling.

¶4. (SBU) The second case against Alga was filed by the PGO with the Astana City Court. In its motion, the PGO challenged the name of Alga's organizing committee, "Alga-DVK," which was officially registered by the MOJ in 2007. The acronym "DVK" stands for "Demokraticheskiy Vybor Kazakhstana" -- Democratic Choice of Kazakhstan -- and is a reference to the opposition political movement that previously united many of today's opposition leaders and whose political heir Alga considers itself to be. The original DVK was shut down by the courts in January 2005 for allegedly calling for the violent overthrow of the government. As Kozlov explained to us, the PGO is now demanding that Alga-DVK's registration be rescinded since a part of its name closely resembles that of a disbanded political party. Rather than challenge the PGO's case, Kozlov has instead applied for re-registration with the MOJ under a new name, "Alga - D&K" (Democracy & Kazakhstan). The Astana City Court opted on May 18 to adjourn the case pending the outcome of Alga's re-registration request. In the interim, Kozlov announced his intention to file a case against the ruling Nur Otan party for sharing a name with "Otan," a relatively insignificant public association.

KOZLOV SEES POLITICS BEHIND BOTH CASES

15. (C) Kozlov sees both cases as government attempts to neutralize "a growing political force." "We are expanding," he asserted, "and this is uncomfortable for Nur Otan." He also believes the cases to be part of a broader campaign against Mukhtar Ablyazov. "The government has seized (Ablyazov's) economic assets, and now it is going after (his) political assets," he claimed. Kozlov predicted that such cases against Alga are going to increase, but expressed optimism about the party's future. "Whatever does not kill us will make us stronger," he joked in English.

MILAS